

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TYSHEEN GOTTE,

:

Plaintiff,

:

: 3:22-CV-710

v.

: (JUDGE MARIANI)

:

SHANE YELLAND, et al.,

:

:

Defendants.

:

ORDER

AND NOW, THIS 17<sup>th</sup> DAY OF AUGUST, 2023, upon *de novo* review of

Magistrate Judge Joseph Saporito's Report and Recommendation ("R&R") (Doc. 9),

Plaintiff's Objections thereto (Doc. 10), and all relevant documents, **IT IS HEREBY**

**ORDERED THAT:**

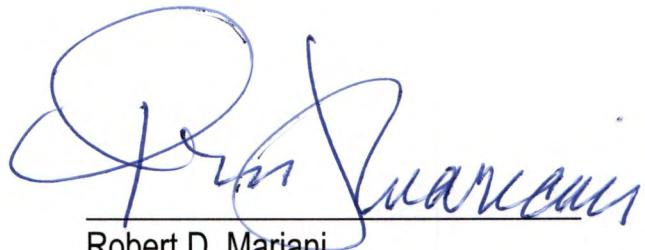
1. The R&R (Doc. 9) is **ADOPTED** for the reasons set forth therein.<sup>1</sup>
2. Plaintiff's Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**.

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<sup>1</sup> On July 27, 2022, Judge Saporito issued the present R&R (Doc. 9) recommending that this action be dismissed for failure to pay the requisite filing and administrative fees. Plaintiff filed Objections thereto (Doc. 10) as well as a Motion for Extension of Time (Doc. 11), both requesting additional time to pay the full fees. Thus, on June 15, 2023, this Court granted Plaintiff's motion and ordered Plaintiff to pay the requisite \$402 filing and administrative fees within thirty days of the date of the Court's Order (Doc. 12). The Court warned that "[f]ailure to file the requisite fees will result in this Court adopting Magistrate Judge Saporito's R&R (Doc. 9) and the dismissal of this lawsuit without prejudice." (*Id.*). On June 27, 2023, the Court's Order was returned as undeliverable (Doc. 13) and was re-mailed to Plaintiff at his updated address at FCI-Gilmer.

As of the date of this Order, Plaintiff has not submitted the requisite filing and administrative fees nor otherwise responded to this Court's Order. As a result, the Court adopts the pending R&R and dismisses this action without prejudice.

3. The Clerk of Court is directed to **CLOSE** the above-captioned action.



Robert D. Mariani  
United States District Judge